

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JESUS GONZALEZ-SOTO,

Petitioner,

vs.

ISIDRO BACA, et al.,

Respondents.

Case No. 3:14-cv-00304-RCJ-WGC

ORDER

On February 12, 2016, the court granted respondents' motion to dismiss (#19), ruling that petitioner had not exhausted his available state-court remedies for all of his grounds for relief. Order (#26). The court instructed petitioner to declare what he wanted to do with the unexhausted grounds. The court also stated that it would dismiss the action if petitioner did not respond. Petitioner has not responded within the allotted time. The court will dismiss this action without prejudice. The court makes no statement about the applicability of any procedural defense if petitioner files another habeas corpus petition that challenges his custody pursuant to the same state-court judgment of conviction.

Reasonable jurists would not find this conclusion to be debatable or wrong, and the court will not issue a certificate of appealability.

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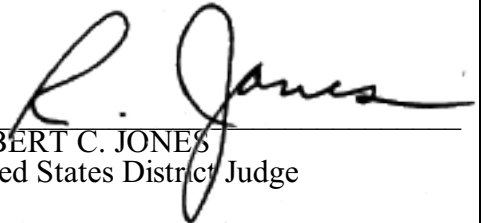
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1 IT IS THEREFORE ORDERED that this action is **DISMISSED** with prejudice for
2 petitioners' failure to exhaust his available state-court remedies for all of his grounds for relief. The
3 clerk of the court shall enter judgment accordingly and close this action.

4 IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

5 DATED: This 12th day of April, 2016.

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8 ROBERT C. JONES
United States District Judge
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